

1 Milton L. Chappell, Esq. (*pro hac vice*)
2 c/o National Right to Work Legal
3 Defense Foundation, Inc.
4 8001 Braddock Road, Suite 600
5 Springfield, Virginia 22160
Phone: (703) 770-3329
Fax: (703) 321-9319
Email: mlc@nrtw.org
Counsel for Service

6 Steven R. Burlingham, Esq. (CBN 88544)
7 GARY, TILL & BURLINGHAM
8 5330 Madison Avenue, Suite F
Sacramento, California 95841
Phone: (916) 332-8122
Fax: (916) 332-8153
Email: steveb@gtblaw.com

10 Attorneys for Plaintiffs and the Class

11

12

13

14 UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

15

16 DAVID M. FRIEDMAN *et al.*,

17 On behalf of all others similarly situated,

18 Plaintiffs,

19 v.

20 CALIFORNIA STATE EMPLOYEES
ASSOCIATION *et al.*,

21 Defendants.

22

23

24 Pursuant to L.R. 143 and 230(g), Plaintiffs David M. Friedman *et al.*, and Defendant
25 California State University Employees Union, SEIU Local 2579, California State Employees

26

Case No. CIV-S-00-00101 WBS/DAD

CLASS ACTION

STIPULATION AND ORDER
SUBMITTING THE MOTION TO ENTER
JUDGMENT ON THE RECORD

HEARING DATE: March 1, 2010

TIME: 2:00 p.m.

Courtroom of Judge William B. Shubb,
Courtroom 5, 14th Floor, Sacramento, CA

1 Association,¹ and Defendant State Controller John Chiang,² by and through their undersigned
2 counsel, hereby respectfully submit the following Stipulation Submitting the Motion to Enter
3 Judgment on the Record and Briefs on File:

4 1. On January 28, 2010, Plaintiffs filed their Amended Motion for Entry of
5 Judgment (Doc. No. 267) and related papers (Doc. Nos. 268-270).

6 2. Both Defendants filed Statements of Non-Opposition to Plaintiffs' Amended
7 Motion for Entry of Judgment (Doc. Nos. 271 & 274).

8 3. Counsel for Plaintiffs and Defendants wish to submit the Motion for Entry of
9 Judgment on the record and without oral argument.³

10 DATED: February 19, 2010

11 Respectfully submitted,

12 
13 Milton L. Chappell, Esq. (*Pro hac vice*)
14 c/o National Right to Work Legal
15 Defense Foundation, Inc.
16 8001 Braddock Road, Suite 600
Springfield, Virginia 22160
Phone: (703) 770-3329
Fax: (703) 321-9319
Email: mlc@nrtw.org

17 Steven R. Burlingham, Esq. (State Bar No. 88544)
18 GARY, TILL & BURLINGHAM
19 5330 Madison Avenue, Suite F
Sacramento, California 95841
Phone: (916) 332-8122
Fax: (916) 332-8153
Email: steveb@gtblaw.com
20 Attorneys for Plaintiffs and the Class

21
22 ¹This is the current correct name of the defendant initially sued as "Defendant California
23 State Employees Association, Local 1000, Service Employees International Union, AFL-CIO,
24 CLC."

25 ²Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, State Controller John
26 Chiang is automatically substituted as a defendant in this matter in place of his predecessor and
27 original defendant, Kathleen Connell.

28 ³If the Court has any questions for counsel or wishes to proceed with oral argument, all
counsel request that they be permitted to attend the hearing by telephone: Milton L. Chappell at
(301) 770-3329; Jeffrey B. Demain at (415) 421-7151; Douglas J. Woods at (916) 324-4663.

1 **IT IS SO STIPULATED.**

2 Dated: February 19, 2010

3 Nancy T. Yamada (State Bar No. 155155)
4 California State University Employees Union
5 SEIU Local 2579, California State Employees Association
6 1108 O Street, 5th Floor
7 Sacramento, California 95814
8 Phone: (916) 319-4800
9 Fax: (916) 319-4808
10 Email: Nyamada@calcsea.org

11 /s/ Jeffrey B. Demain (as authorized on Feb. 19, 2010)

12 Jeffrey B. Demain (State Bar No. 126715)
13 Altshuler Berzon LLP
14 177 Post Street, Suite 300
15 San Francisco, California 94108
16 Phone: (415) 421-7151
17 Fax: (415) 362-8064
18 Email: jdemain@altshulerberzon.com

19 *Attorneys for Defendant California State University
20 Employees Union, SEIU Local 2579, California State
21 Employees Association*

22 Dated: February 19, 2010

23 Edmund G. Brown, Jr.
24 Attorney General of California

25 /s/ Douglas J. Woods (as authorized on Feb. 19, 2010)

26 Douglas J. Woods
27 Supervising Deputy Attorney General
28 1300 "I" Street, Suite 125
Sacramento, CA 95814
Phone: (916) 324-4663
Fax: (916) 324-8835
Email: Douglas.Woods@doj.ca.gov

29 *Attorneys for Defendant John Chiang,
30 Controller of the State of California*

31 **T IS SO ORDERED.**

32 Dated: February 24, 2010

33 
34 WILLIAM B. SHUBB
35 UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I hereby certify, under penalty of perjury, that a true and correct copy of this Stipulation and Order Submitting Motion to Enter Judgment was deposited in the United States Mail, first-class postage pre-paid, addressed to:

Nancy T. Yamada
Cal State University Employees Union, SEIU Local 2579
California State Employees Association
1108 "O" Street, 5th Floor
Sacramento, CA 95814

*Attorney for Defendant California State University Employees Union, SEIU Local 2579,
California State Employees Association*

I further certify, under penalty of perjury, that I electronically filed with the Clerk of the Court the foregoing Stipulation and Order Submitting Motion to Enter Judgment, using the CM/ECF system which will send notification of such filing to

Jeffrey B. Demain
*Attorney for Defendant California State University Employees Union, SEIU Local 2579,
California State Employees Association*

Douglas J. Woods
Attorney for Defendant John Chiang, Controller of the State of California

All of these actions were taken on the 22nd day of February, 2010.


Milton L. Chappell, Esq. (pro hac vice)